

PROB 12B
(7/93)

Report Date: January 20, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 22 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Michael Griggs

Case Number: 2:92CR00201-001

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 6/4/1993

Type of Supervision: Supervised Release

Original Offense: Attempted Armed Bank Robbery,
18 U.S.C. § 2113(d); Assaulting or Interfering with a
Special Agent, 18 U.S.C. § 111(a)(b); Using/Carrying
a Firearm in Relation to a Crime of Violence, 18
U.S.C. § 924c; and Felon in Possession of a Firearm,
18 U.S.C. 922(g)(1) & 18 U.S. C. 924(c)

Date Supervision Commenced: 1/15/2010

Original Sentence: Prison - 180 Months; TSR - 60
Months

Date Supervision Expires: 1/14/2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 14 You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.
- 15 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 16 You shall abstain from the use of illegal controlled substances and alcohol, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

Michael Griggs commenced a 5-year term of supervised release on January 15, 2010. In an attempt to provide federal funding, if necessary, it is requested that the Court modify conditions of supervision to include the aforementioned conditions.

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In addition, the purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Michael Griggs was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Griggs has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/20/2010

s/Tommy Rosser

Tommy Rosser

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

January 21, 2010
Date